

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

API TECHNOLOGIES, LLC,

Plaintiff,

v.

FACEBOOK, INC. ET AL.,

Defendants.

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CIVIL ACTION NO. 2:09-CV-00147

JURY TRIAL DEMANDED

STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE

The plaintiff, API Technologies, LLC, and defendants, AOL LLC, Mapquest, Inc., Bebo, Inc., and Truveo, Inc., pursuant to FED. R. CIV. P. 41(a)(2) and (c), hereby move for an order dismissing all claims and counterclaims in this action WITH PREJUDICE, subject to the terms of a confidential settlement agreement dated September 22, 2009, with each party to bear its own costs, expenses and attorneys fees.

AGREED:

/s/ Tyler K. Brochstein

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**Attorneys for AOL LLC, Mapquest,
Inc., Bebo, Inc., and Truveo, Inc.**

Dated: October 8, 2009

CERTIFICATE OF SERVICE

The undersigned certifies that on this 8th day of October, 2009, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document through the Court's CM/ECF system under Local Rule Cv-5(a)(3). Any other counsel of record will be served via first class mail and/or facsimile.

/s/ Tyler K Brochstein
Tyler K Brochstein